TITLE.

The question that the title stand part of the Bill was put and carried.

The title was added to the Bill.

DEPUTY PRESIDENT : We have now reached the final stage in the second reading of the Bill.—

RAO BAHADUR DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : Sir, I wish to make a statement. Some amendments to this Bill have been carried and Government want some time to consider these amendments. They hope that, in the course of the next three or four days, they may be able to come to a decision on these amendments and that it may be possible to take up the third reading of the Bill at a meeting of this House which may be held —I do not say it is going to be held—on any of those days intervening between the Joint Session of both the Houses for the presentation of the Budget and the general discussion of the Budget in this House. Government will consider the question carefully and come to a decision. I only want to inform the honourable members now of the possibility of a meeting of this House being held on any day between the Joint Session and the general discussion of the Budget for the third reading of this Bill, so that the honourable members may come prepared if necessary. I think it may be possible to give definite notice of such a meeting on the day of the Joint Session or even a day earlier.

THE TRAVANCORE COMPENSATION FOR IMPROVEMENTS BILL.

DEPUTY PRESIDENT : We shall now proceed to the next business, namely, the third reading of Mr. R. Raman Pillai's Compensation for Improvements Bill,

MR. P. C. KURIYAN (*Kottayam I*) : I rise to a point of order. When we were summoned to this Session of the Assembly, it was stated in the notice that it was convened to discuss the second reading and the further stages of the Agriculturists' Relief Bill, the Co-operative Societies Bill and the Preservation of Ancient Monuments Bill.

DEPUTY PRESIDENT : What is the rule you rely upon ?

MR. P. C. KURIYAN (*Kottayam I*) : When those two Bills are not taken into consideration—.

DEPUTY PRESIDENT : You have already explained your position and I asked you which is the rule you rely upon.

MR. N. E. VARUGHESE (*Tiruvalla I*) : I refer to para 24 at page 15 of the Assembly Manual to state that the third reading of the Compensation for Improvements Bill cannot be gone through today. In the first place, there is no agenda. There is no previous notice except an announcement made yesterday by the Chief Secretary to Government that, if there is time after the second reading of the Agriculturists' Relief Bill was over, the third reading of Mr. Raman Pillai's Bill will be taken up.

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DEPUTY PRESIDENT: If I remember correct, the Chief Secretary stated that the Dewan has authorised him to say that. That makes considerable difference.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): And the House accepted it.

MR. N. E. VARUGHESE (*Tiruvalla I*): I know that a sitting, without an agenda, for discussing the Agriculturists' Relief Bill, was accepted by this House. It was only after that was accepted that the Chief Secretary announced that in case there is enough of time, the third reading of the Compensation for Improvements Bill will be taken up. But what I submit is that this business cannot be transacted without the consent of Government. We cannot take the announcement by the Chief Secretary to be with the consent of Government. Only the President is entitled to make such an announcement. Further, there is no agenda. I am entitled, as a member, to oppose the third reading. I am not in possession of any papers in connection with that Bill. That was not in the original agenda and now all on a sudden to bring forward a motion before the House to consider an important measure—

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Sir, is it a point of order?

DEPUTY PRESIDENT: It seems to be argument of a very elaborate character. You have stated the point, Mr. Varughese; and for all practical purposes that is enough.

MR. N. E. VARUGHESE (*Tiruvalla I*): In the first place, the House is not in order.—

DEPUTY PRESIDENT: That is what you said in the first place and in the last place. You began by saying that and ended by saying that.

RAO BAHADUR DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Sir, I made the announcement on behalf of Government and not on my own behalf. Government granted permission to Mr. Raman Pillai to take up the third reading of his Bill at this meeting if there was time left over after the second reading of the Agriculturists' Relief Bill. I do not know how Mr. Varughese takes it as an announcement made by the Chief Secretary on his own behalf. Sir, I made it on behalf of Government and not on my own behalf.

DEPUTY PRESIDENT: This point of order raises a very important question, though I consider that the member was not himself quite right in taking this objection. Officers of Government who are members of this House, come here on behalf of Government and not representing any constituency as non-official members do. The Chief Secretary to Government is the leader of the House (Mr. K. Kunjukrishna Pillai: *Hear, hear*) and statements made by him and by other official members, while answering questions and on other occasions, have been accepted by this House as absolutely authentic and authoritative. That Mr. Varughese should raise this point is not therefore fair to the established traditions of the House, nor is it fair to the rules under which this House is functioning. The Chief Secretary

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stated yesterday that the Dewan has authorised him to make this announcement; and under the law in Travancore, so far as I know, even important papers signed by the Chief Secretary are presumed to have been accepted by Government and it is on behalf of Government that his signature is affixed. Rule 24 at page 15, brought to my notice by Mr. Varughese, speaks of the Dewan's power of arranging the business of the House. In conformity with that rule, the Dewan authorised the Chief Secretary to make the statement, and yesterday, when the statement was made, there was not a whisper heard, not a whisper of opposition. So, whatever may be the merits of the case, this House has accepted the position taken by the Chief Secretary. For the expedition of business, I think the Dewan exercised his authority under the law and the Chief Secretary made the announcement on behalf of Government. That there was no notice is not a question which I can entertain, because the facts are otherwise.

It was stated that Mr. Varughese has not got all the necessary papers to enable him to discuss the matter. Mr. Varughese is a member of this House. He was here when the business connected with this Bill was being transacted. So at this stage to say that the papers were not available does not carry much conviction. I, therefore, overrule the objection raised.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : May I point out one rule, that is, rule No. 103 of the Manual. Sub-rule 2 says :—

"(2) If any amendment of the Bill is made, any member may object to any motion being made on the same day that the Bill be passed, and such objection shall prevail unless the President, in the exercise of his power to suspend this Standing Order, allows the motion to be made".

And Sub Rule (3) says :—

"(3) where the objection prevails, a motion that the Bill be passed may be brought forward on any future day".

In this case when a motion to pass it was made on the last occasion, objection was taken and that objection prevailed ; under sub-rule (3) the motion that the Bill be passed could be brought forward on *any future day*".

DEPUTY PRESIDENT : I am thankful to him for pointing out that. Even without that, the matter could very well be passed.

Mr. Raman Pillai.

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*) : I move that the Travancore Compensation for Improvements Bill be passed.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*) : I second it.

MR. N. E. VARUGHESE (*Tiruvalla I*) : I oppose it. I have not got any of the papers.

DEPUTY PRESIDENT : You cannot repeat that argument. You have already said that, and the Chair has passed a ruling. You are at liberty Mr. Varughese, to go to other points.

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MR. N. E VARUGHESE (*Tiruvalla I*): I oppose the third reading and I do not mean to elaborate on the points of opposition because I am not in possession of all the facts necessary for consideration of this Bill.

DEPUTY PRESIDENT: In fairness to the Chair and the House, the member must withdraw that observation. Mr. Varughese began his objection by saying that he had not got all the papers. One matter must be mentioned only once. Repetition cannot be allowed. Mr. Varughese was putting his opposition on the same ground again and again. If Mr. Varughese says that he finds himself unable to give reasons for opposing, he may state that. Is that so?

MR. N E. VARUGHESE (*Tiruvalla I*): Yes.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): He had no points for opposing that.

DEPUTY PRESIDENT: The House will take them at its worth.

MR. K. M. KURIAKOSE (*Muvattupuzha II*): Sir, I would also oppose it. Am I entitled to make a speech?

DEPUTY PRESIDENT: Yes.

MR. K. M. KURIAKOSE (*Muvattupuzha II*): Sir, the impression that would be created in going through the Bill—(*louder, please*). I am sorry I cannot raise my voice. When the Bill comes into effect the impression that will be created would be that instead of the Bill helping the real agriculturists, the tillers of the soil, to improve their lands to the ultimate benefit of the State, it will have a retarding effect. That is the general impression created in the country parts. Those who have anything to do with the cultivation of the soil, who are directly engaged in agricultural pursuits, are definitely of opinion that this Bill has got an effect which will prevent them from employing any labour on land. This will ultimately tell upon the future of the State. Further, Sir, I object to the third reading now, because this Session was definitely summoned——

DEPUTY PRESIDENT: There is ruling on that. Do not re-open that question, please.

MR. K. M. KURIAKOSE (*Muvattupuzha II*): Then I will not mention that point. On these grounds, I oppose it.

MR. A. THANU PILLAI (*Trivandrum—Rural*): Can other members also speak?

DEPUTY PRESIDENT: Yes.

MR. A. THANU PILLAI (*Trivandrum—Rural*): Sir, so far as I am aware, there is no such impression in the country. One or two persons might have entertained that opinion.

MR. K. M. KURIAKOSE (*Muvattupuzha II*): Is the member aware of the public agisation going on in this matter?

MR. A. THANU PILLAI (*Triandrum—Rural*): There may be agitation against it. But it cannot be said that the country is opposed to it.

MR. M. SIVATANU PILLAI (*Tovala*): How does the member say that there is no such impression?

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MR. A. THANU PILLAI (*Trivandrum—Rural*): There is no such impression.

The motion that the Bill be passed was put and carried.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I demand a poll.

AYES—41.

1	Mr.	N. Abdur Rahiman Sahib
2	,,	Mahomed Haneef
3	Miss	Hepzibah Gnanasikhamani
4	Mr.	A. Thanu Pillai
5	,,	S. Nilakanta Pillai
6	,,	S. Chattanatha Karayalar
7	,,	T. S. Jayanthan Nambutiri
8	,,	N. John Joseph
9	,,	T. C. Joseph
10	,,	T. T. Kesavan Sastri
11	,,	K. M. Krishnan
12	,,	K. P. Krishna Menon
13	,,	P. C. Narayana Bhattathiripad
14	,,	K. Mahomed
15	,,	K. Madhavan
16	,,	R. Raman Pillai
17	,,	P. K. Thomas
18	,,	R. Sambasiva Aiyar
19	,,	K. Kunjukrishna Pillai
20	,,	Puthupalli S. Krishna Pillai
21	,,	A. S. Damodaran Asan
22	,,	Pacode A. Narayana Pillai
23	Mr.	N. K. Krishna Pillai
24	,,	A. Easwara Pillai (*Kalkulam II*)
25	,,	A. Easwara Pillai (*Kottarakara*)
26	,,	Sivaraman Nair
27	,,	Kainikkara M. Padmanabha Pillai
28	,,	Edavanatt S. Padmanabha Menon
29	,,	T. P. Velayudhan Pillai
30	,,	G. Nilakantan
31	,,	M. Sivathanu Pillai
32	Rao Bahadur Dr.	N. Kunjan Pillai
33	Mr.	T. C Thommen
34	,,	K. N. Kesava Pillai
35	,,	C. V. Chandarasekharan
36	,,	G. B. E. Truscott
37	,,	N. K. Padmanabha Pillai
38	,,	M. Govinda Pillai
39	,,	C. O. Madhavan
40	,,	K. George
41	,,	Kayalam Parameswaran Pillai

NOES—3.

1	Mr.	K. M. Kuriakose
2	,,	P. C. Kuriyan
3	Mr.	N. E. Varughese

NEUTRALS—5.

1	Mr.	K. C. Abraham
2	,,	T. K. Alexander
3	,,	V. T. Chacko
4	Mr.	Antony George
5	,,	J. M. Joseph

The motion was declared carried and the Bill passed.

The Assembly adjourned at 4-50 P. M. *sine die*.

K. MADHAVA KURUP,
Secretary to the Sri Mulam Assembly.

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